

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Marcus Walker**

**Docket No. 7:14-CR-107-1F**

**Petition for Action on Supervised Release**

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Marcus Walker, who, upon an earlier plea of guilty to 21 U.S.C. §§ 841(a)(1), (b)(1)(C) & 846, Conspiracy to Distribute Heroin, and 17 U.S.C. § 506(a)(1)(A) & 18 U.S.C. § 2319(b)(1), Copyright Infringement, was sentenced by the Honorable Sara Lioi, U.S. District Judge, Northern District of Ohio, on November 17, 2010, to the custody of the Bureau of Prisons for a term of 45 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a term of 6 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
2. The defendant shall submit his person, residence, place of business, computer, or vehicle to a warrantless search, conducted and controlled by the U.S. Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.
3. The defendant shall participate as directed in an approved program of outpatient, inpatient or detoxification substance abuse treatment, which will include drug and alcohol testing to determine if the defendant has reverted to substance abuse.
4. The defendant shall participate in an outpatient mental health treatment program as directed by the probation office.
5. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Marcus Walker was released from custody to the Eastern District of North Carolina on September 20, 2013, at which time the term of supervised release commenced. On June 16th and July 14, 2014, Mr. Walker tested positive for marijuana. These violations were reported to the sentencing court in Ohio and supervision continued. On November 19, 2014, jurisdiction was transferred to the Eastern District of North Carolina.



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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR  
CAUSE AS FOLLOWS:**

Mr. Walker requested permission to transfer his supervision to the District of New Jersey where he has family and a better employment opportunity. On October 17, 2014, Mr. Walker met with USPO Eliza Martinez and submitted a urine test, and the result was positive for marijuana. She has agreed to allow Mr. Walker to remain in their district pending a decision to accept his case, but requested that he participate in a Cognitive Behavioral Program. We concur with that plan of action and recommend the court modify the conditions of supervision by imposing a condition requiring Mr. Walker to participate in Cognitive Behavior Therapy. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ John A. Cooper  
John A. Cooper  
U.S. Probation Officer  
Phone: 910-815-4857  
Executed On: December 1, 2014

**ORDER OF COURT**

Considered and ordered this 1<sup>st</sup> day of December, 2014, and ordered filed and made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge